

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

BLACK LOVE RESISTS IN THE RUST, by and through its Co-Directors Natasha Soto and Shaketa Redden and on behalf of its members; DORETHEA FRANKLIN, TANIQUA SIMMONS, DE'JON HALL, and JANE DOE, individually and on behalf of a class of all others similarly situated,

Plaintiffs,

v.

Case No.: 1:18-cv-719

CITY OF BUFFALO, N.Y.; BYRON B. BROWN, Mayor of the City of Buffalo, in his individual and official capacities; BYRON C. LOCKWOOD, Commissioner of the Buffalo Police Department, in his individual and official capacities; DANIEL DERENDA, former Commissioner of the Buffalo Police Department, in his individual capacity; AARON YOUNG, KEVIN BRINKWORTH, PHILIP SERAFINI, ROBBIN THOMAS, UNKNOWN SUPERVISORY PERSONNEL 1-10, UNKNOWN OFFICERS 1-20, each officers of the Buffalo Police Department, in their individual capacities,

Defendants.

---

**MOTION FOR EXTENSION TO RESPOND TO  
PLAINTIFFS' MOTION TO TAKE ADDITIONAL DEPOSITIONS**

Defendants respectfully move for an extension of time to file papers in opposition to the plaintiffs' motion to take an additional eleven depositions (Dkt. No. 148). In support of this motion, the defendants specifically state:

1. As stated in the plaintiffs' application, the defendants oppose their request to take an additional eleven depositions.



2. The Court has not set a briefing schedule for the plaintiffs' motion and, as such, the defendants' deadline to serve opposition papers would have passed if the briefing schedule is governed by the Federal and Local Rules of Civil Procedure. As such, the defendants are requesting that the Court extend the defendants' deadline to submit opposition papers *nunc pro tunc*.

3. Given recent weather events in Buffalo, the attorneys representing the defendants were unable to return to their offices in the week following service of the plaintiffs' motion, and the default deadline to file opposition papers was inadvertently overlooked.

4. Furthermore, the undersigned recently had a trial venued in Sullivan County, New York which just concluded yesterday. Upon returning to Buffalo yesterday evening and in reviewing the docket for this matter, it became apparent to the undersigned that the defendants would need to seek an extension of time to file our opposition papers.

5. The defendants are not seeking a large extension. In fact, the defendants are only requesting a deadline that falls one week from today, January 17, 2023. The defendants respectfully submit that this brief extension is warranted under the circumstances.

6. The defendants and their counsel thank the Court in advance for its consideration of this request.



Dated: Buffalo, New York  
January 10, 2023

**HODGSON RUSS LLP**

*Attorneys for Defendants the City of Buffalo,  
Byron B. Brown, Byron C. Lockwood,  
Daniel Derenda, Aaron Young, Kevin Brinkworth,  
Philip Serafini, Robbin Thomas,  
Unknown Supervisory Personnel 1-10,  
Unknown Officers 1-20,*

By: /s Peter A. Sahasrabudhe

Adam W. Perry, Esq.

Hugh M. Russ, Esq.

Peter A. Sahasrabudhe, Esq.

The Guaranty Building

140 Pearl Street, Suite 100

Buffalo, New York 14202-4040

Telephone: (716) 856-4000

*aperry@hodgsonruss.com*

*hruss@hodgsonruss.com*

*psahasra@hodgsonruss.com*



**CERTIFICATE OF SERVICE**

I hereby certify that on January 10, 2023, the above-motion for an extension of time to file and serve papers in opposition to plaintiffs' motion to take an additional eleven depositions was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Western District's Local Rules, and/or the Western District's Case Filing Rules & Instructions upon all counsel registered through the ECF System.

/s/ Peter Sahasrabudhe